United Nations A/64/358

General Assembly

Distr.: General
17 September 2009

Original: English

Sixty-fourth session
Items 128, 133, 135, 139 and 140 of the provisional agenda*

Proposed programme budget for the biennium 2010-2011

Human resources management

United Nations common system

Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Administrative and financial implications of the decisions and recommendations contained in the report of the International Civil Service Commission for 2009

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

Summary

The present statement, submitted pursuant to rule 153 of the rules of procedure of the General Assembly, details the administrative and financial implications of the decisions and recommendations of the International Civil Service Commission on the common system, in particular their implications for the proposed programme budget of the United Nations and the proposed budgets of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia for the biennium 2010-2011. The recommendations and decisions of the Commission, where they have an effect on the proposed programme budget and the proposed budgets for the Tribunals for the biennium 2010-2011, will be reflected in the recosting of the corresponding proposed budget estimates prior to determination of the appropriations to be adopted by the General Assembly in December 2009.

* A/64/150 and Corr.1.

09-51733 (E) 250909

Please recycle

I. Introduction

1. The annual report of the International Civil Service Commission for 2009[1] contains specific decisions and recommendations with financial implications for the proposed programme budget and the proposed budgets of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia for the biennium 2010-2011 in relation to:

(a) Conditions of service of staff under fixed-term appointments: introduction of an end-of-service severance pay for fixed-term staff separating from the organization upon the expiration of contract after 10 or more years of continuous service in those organizations which have introduced and implemented the new contractual framework, as defined by the International Civil Service Commission in its 2005 annual report;[2]

(b) Conditions of service of staff in the Professional and higher categories: base/floor salary scale.[3]

II. Conditions of service of staff under fixed-term appointments

A. End-of-service severance pay

2. It is recalled that the Commission had twice recommended an end-of-service grant to the General Assembly, the premise of which remained valid today. The Commission agreed, despite reservations expressed by some members, that certain compensation should be offered to longer-serving staff who separated from organizations involuntarily upon expiration of their fixed-term contracts. The costs incurred by such compensation mechanisms were deemed to be less than the amounts that would be required if buy-out packages were to be offered. In accordance with the provisions of General Assembly resolution 63/250, the Commission emphasized that the end-of-service grant is intended solely as severance pay to assist separating staff during their search for alternative employment. Moreover, it should not be construed as giving any expectancy, legal or otherwise, for the renewal of a fixed-term contract or its conversion to a continuing appointment and should be reflected clearly in the name of the entitlement which would be known as "end-of-service severance pay" and should be offered to qualifying staff as a separate measure distinct from termination indemnity.

3. The annual financial implications resulting from the introduction of an end-of-service severance pay for the United Nations and other participating organizations of the common system have been estimated by the Commission to be approximately $4.6 million system-wide.

4. The financial implications of the above recommendation for the proposed programme budget of the United Nations and the proposed budgets for the International Criminal Tribunal for Rwanda and the International Tribunal for the

[1] *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 30* (A/64/30).
[2] Ibid., paras. 42-60.
[3] Ibid., paras. 61-66.

Former Yugoslavia for the biennium 2010-2011 have been estimated at $2,100,000, $214,200, and $30,700 respectively.

III. Conditions of service of staff in the Professional and higher categories

A. Base/floor salary scale

5. The General Assembly, in section I.H of its resolution 44/198, established a floor net salary scale for staff in the Professional and higher categories by reference to the corresponding net salary levels of officials in comparable positions serving in the base city of the comparator civil service (the United States federal civil service), as from 1 July 1990.

6. The cumulative movement of the United States federal civil service net salaries in Washington, D.C., the current comparator, increased by 2.9 per cent as from 1 January 2009. In addition, during the fiscal year 2009, there were changes in the United States federal income tax legislation, while no changes occurred in the state income tax legislations in the states of Maryland and Virginia and the District of Columbia. The combined effect of the gross salary increases and tax changes translated into a result that the comparator's reference salary (GS-13/GS-14 salary levels) was 3.04 per cent higher than the net salary of a P-4/VI in the current United Nations base/floor salary scale, as of 1 January 2009, as compared with the 2008 levels. In accordance with the approved procedures and past practices, that would call for an upward adjustment of 3.04 per cent in the common system salary scale for staff in the Professional and higher categories, as from 1 January 2010. The increase in the base/floor salary scale would be implemented through the standard method of consolidating post adjustment multiplier points on a no-loss/no-gain basis.

7. The annual financial implications of the above-mentioned adjustment of the base/floor salary scale for the United Nations and other participating organizations of the common system have been estimated by the Commission to be approximately $1,446,000 broken down as follows:

(a) For duty stations with low post adjustment that would otherwise fall below the level of the new base/floor: none;

(b) In respect of the scale of separation payments: $1,446,000.

8. The financial implications of the above recommendation for the proposed programme budget of the United Nations and the proposed budgets for the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia for the biennium 2010-2011 have been estimated at $493,600, $66,500 and $81,900 respectively.

IV. Conclusions and recommendations

9. **The financial implications for the proposed programme budget and the proposed budgets of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia for the biennium 2010-2011 are shown below:**

(United States dollars)

	United Nations	International Criminal Tribunal for Rwanda	International Criminal Tribunal for the Former Yugoslavia
End-of-service severance pay	2 100 000	214 200	30 700
Base/floor salary scale	—	—	—
Separation payments	493 600	66 500	81 900
Total	**2 593 600**	**280 700**	**112 600**

10. **In summary, the financial implications for the proposed programme budget and the proposed budgets of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia for the biennium 2010-2011 resulting from the recommendations and decisions of the International Civil Service Commission are estimated at $2,593,600, $280,700 and $112,600 respectively, with regard to end-of-service severance pay for staff under fixed-term appointments and separation payments for staff in the Professional and higher categories.**

11. **Those requirements will be reflected in the recosting of the corresponding proposed budget estimates for the biennium 2010-2011 prior to determination of the appropriations to be adopted by the General Assembly in December 2009.**